

Municipal Clerk
Atlanta, Georgia

02-0 -1553

AN ORDINANCE **UEZ-02-08**
BY THE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE TO CREATE "ANDERSON-MCGRIFF LOFTS MIXED-USE RESIDENTIAL/COMMERCIAL ENTERPRISE ZONE" AND FOR OTHER PURPOSES.

WHEREAS an amendment to the Constitution of the State of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

WHEREAS enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

WHEREAS the Atlanta/Fulton County Urban Enterprise Zone Act gives the Council of the City of Atlanta the authority to designate areas within the City as urban enterprise zones for mixed-use residential/commercial purposes if certain conditions are met; and

WHEREAS the designation of a mixed-use residential/commercial enterprise zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property that is exempted by the City; and

WHEREAS certain types of property may be exempted, conditions must be met by owners of private property to qualify for an exemption, period, and rate of exemptions, and elections may be made by the Atlanta City Council among various types of exemptions which are specified by State law; and

WHEREAS State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

WHEREAS the City of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

WHEREAS it is the expressed intent of the Atlanta City Council to use urban enterprise zone legislation as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for commercial construction and job creation purposes; and

WHEREAS the conditions and qualifications of the Atlanta/Fulton County Urban Enterprise Zone Act, as amended, have been met relative to the creation of the "Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone";

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

Section 1: It is found by the Council of the City of Atlanta that the area in and around the property that would be designated as the "Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone" is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare, and morals. It is further found that these areas, as is the case with the property that would be designated as the "Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone", are characterized by having no investment or under-investment by private enterprise in ventures which produce jobs, trade, provision of services, and economic activities which individually and together contribute to a healthy society. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprise place priority upon the employment of those residents in those economically- and socially-depressed areas designated herein as urban enterprise zones.

Section 2: The "Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone" is hereby created for the subject property. The effective date of all exemptions established therein shall be January 1, 2003. The Anderson-McGriff Lofts Mixed-use Residential/Commercial Enterprise Zone shall be abolished on December 31, 2012. The Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description of the Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone is attached hereto as Exhibit "A", and made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

Section 3: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon the approval by the Mayor of the City of Atlanta.

Section 4: That all ordinances and parts of ordinances that are in conflict herewith are hereby repealed.

RCS# 4321
12/02/02
7:29 PM

Atlanta City Council

Regular Session

02-O-1553 UEZ-02-08; Create Anderson-McGriff Lofts
Mixed-Use Resid/Comm Enterprise Zone
FILE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

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|-----------|--------------|-----------|------------|
| Y Smith | NV Archibong | Y Moore | Y Mitchell |
| Y Starnes | Y Fauver | Y Martin | Y Norwood |
| NV Young | Y Shook | E Maddox | Y Willis |
| Y Winslow | Y Muller | Y Boazman | NV Woolard |

02-O-1553

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(Do Not Write Above This Line)

AN ORDINANCE UEZ-02-08
BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE BY THE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE TO CREATE THE "ANDERSON-MCGRIFF LOFTS MIXED-USE RESIDENTIAL/COMMERCIAL ENTERPRISE ZONE", TO BE LOCATED AT 1335 MARIETTA BOULEVARD, N.W. AND 1410 ELLSWORTH INDUSTRIAL DRIVE, N.W., AND FOR OTHER PURPOSES.

NPU "D" COUNCIL DISTRICT 9

Filed by
City Council
12/2/02

- ☒ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER

Date Referred 9/16/02
Community Development / Human Resources
Referred to:

First Reading

Committee CD/HR
Date 9/16/02
Chair

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|---|---|
| Committee CD/HR | Committee |
| Date 10/1/02 | Date |
| Chair Chair | Chair |
| Action: Fav, Adv, Held (see rev. side) | Action: Fav, Adv, Held (see rev. side) |
| Other | Other |
| Members | Members |
| 10/15/02 | |
| 10/29/02 | |
| 11/12/02 | |
| Refer To | Refer To |

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|---|---|
| Committee CD/HR | Committee |
| Date 11/6/02 | Date |
| Chair Chair | Chair |
| Action: Fav, Adv, Held (see rev. side) | Action: Fav, Adv, Held (see rev. side) |
| Other | Other |
| Members | Members |
| Refer To | Refer To |

COUNCIL ACTION

- ☐ 2nd
- ☐ 1st & 2nd
- ☐ 3rd
- ☐ Consent
- ☐ V Vote
- ☒ RC Vote

CERTIFIED

MAYOR'S ACTION